

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

January 13, 2006

JOHN O. MICHELINI and DONALD J. LEWIS

Serial No. : 10/805,611

Group Art Unit: 3747

Filed : March 19, 2004

Examiner: Tony Argenbright

For : CYLINDER AND VALVE MODE CONTROL FOR AN ENGINE  
WITH VALVES THAT MAY BE DEACTIVATED**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.56, 1.97, 1.98**

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97, and 1.98, the following patents, publications, applications, and/or other information are being submitted and disclosed to the Office, including those listed on the enclosed Form PTO-1449, for consideration by the Examiner.

Applicants respectfully request that the disclosed information be made of record and expressly considered by the Examiner during examination of the pending application. Further, Applicants respectfully request that the disclosed items be listed on the face of any patent issuing from the pending application in the "references cited" column.

In accordance with 37 C.F.R. § 1.97 (g), the present information disclosure statement is not a representation that a search has been made.

In accordance with 37 C.F.R. § 1.97 (h), the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, material to patentability.

In accordance with MPEP § 609, Applicants respectfully request that if the present application is a continuing application, all information considered by the Office in the parent application be considered in the present application, although it need not be listed on the face of the patent unless resubmitted in this or another information disclosure statement filed in this application.

Finally, the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, prior art.

Page 1 – INFORMATION DISCLOSURE STATEMENT  
Serial No. 10/805,611; Record ID 81100237

**BASIS FOR CONSIDERATION BY THE OFFICE UNDER 37 C.F.R. § 1.97****☒ 37 C.F.R. § 1.97(d)**

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief, on or before payment of the issue fee.

☐ Applicants certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☒ Applicants certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

AND

☐ A check in the amount of \_\_\_\_\_ is enclosed.

☒ Please charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account 06-1510.

**CONTENT OF INFORMATION DISCLOSURE STATEMENT 37 C.F.R. § 1.98**

The present information disclosure statement includes any information noted above, along with a Form PTO/SB/08A (2 pages).

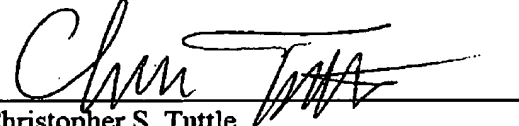
If there are any questions regarding this submission, please contact the undersigned.

**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being sent to the U.S. Patent and Trademark Office via facsimile at (571) 273-8300 on January 13, 2006.

  
Lauren Barberena

Respectfully submitted,  
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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0851-0031

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| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><i>(Use as many sheets as necessary)</i> |                        | <b>Complete if Known</b> |                   |
|  |                        | Application Number       | 10/805,611        |
|  |                        | Filing Date              | March 19, 2004    |
|  |                        | First Named Inventor     | John O. Michelini |
|  |                        | Art Unit                 | 3747              |
|  |                        | Examiner Name            | Tony Argenbright  |
| Sheet 1 of 2   | Attorney Docket Number | 81100237                 |                   |

| U. S. PATENT DOCUMENTS |                          |  |                                |  |   |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials*  | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                        |                          | Number-Kind Code <sup>2</sup> (if known) |                                |  |   |
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| FOREIGN PATENT DOCUMENTS |                          |   |                                   |  |   |                |
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| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>Or Relevant Figures Appear | T <sup>6</sup> |
|                          |                          | Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) |                                   |  |   |                |
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| Examiner<br>Signature | Date<br>Considered |
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| Sheet  | 2 | of                       | 2                 |

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